

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MONICA LEE, an individual,
)
)
Plaintiff,
)
vs.
)
BAC HOME LOANS SERVICING, LP;
)
MERSCORP, INC., et al.,
)
Defendants.
)

Case No.: 2:11-cv-01473-GMN-CWH

ORDER

Pending before the Court is Defendants' Motion to Dismiss (ECF No. 17). Plaintiff has filed no opposition to the motion.

Pursuant to Local Rule 7-2(b), the failure of an opposing party to file points and authorities in response to any motion shall constitute consent to the granting of the motion.

Although a court may grant the Motion to Dismiss for failure to follow local rules, the Court must first consider five factors: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions. *Ghazali v. Moran*, 46 F.3d 52 (9th Cir. 1995). The Court has considered these factors and finds that Plaintiff has received ample notice and time within which to respond. The Court also finds that consideration of these five factors weighs in favor of granting Defendants' Motion to Dismiss.

Accordingly,

IT IS HEREBY ORDERED that Defendants' Motion to Dismiss (ECF No. 17) is **GRANTED**.

DATED this 5th day of January, 2012.


Gloria M. Navarro
United States District Judge